GOVERNMENT OF INDIA
DEFENCE
LOK SABHA

UNSTARRED QUESTION NO:1270
ANSWERED ON:15.07.2004
RECOGNITION OF TRADE UNION
Kamat Shri Gurudas

Will the Minister of DEFENCE be pleased to state:

(a) the guidelines being followed to recognise any trade union in the Defence Ministry;

(b) whether any particular trade union has been recognized in the defence industry without following the stipulated guidelines; and

(c) if so, the details thereof and the reasons therefor?

Answer

MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE)

(a) The Rules for Recognition of Unions are being followed to recognize any Trade Union in the Defence Ministry. The main guidelines incorporated under these Rules are stated in the statement enclosed.

(b) No, Sir.

(c) Does not arise in view of (b) above.

STATEMENT REFERRED TO IN THE REPLY GIVEN IN PART (a) OF LOK SABHA UNSTARRED QUESTION NO. 1270 FOR 15.7.2004

Guidelines for Recognition of Trade Unions of Workers employed in the Ministry of Defence Establishments

The applications of the Unions seeking Recognition under the Rules for Recognition of Unions of workers employed in Ministry of Defence Establishments are examined under the Rules circulated vide Ministry of Defence letter No. 14(4)/93/D(JCM), dated 6th September 1995 as amended from time to time. The Main guidelines under these Rules are as under:-

1. As a general principle, the grant and continuance of Recognition to workers` Workers` Unions rests in the discretion of the Government.

2. The Union must be registered under the Trade Union Act, 1926.

3. The Union should be functioning in an Industrial Establishment.

4. The membership of the Union seeking recognition must be confined to workmen employed in the same Industry or Industries closely allied to or connected with each other.

5. It must be representative of all workmen employed in the Industry or Industries and must not provide for exclusion from its membership of any class of workmen except for the categories of employees prohibited under the Rules to become members of a Union.

6. The Union should have atleast 15% membership of the total strength of workers/employees who are eligible to join as members.

7. The Rules or the Constitution of the Union must include a modal strike clause regarding the procedure for declaring strikes.

8. The Rules/Constitution of the Union should provide for holding of its Executive Committee meeting at least once in six months.

9. The Union shall not maintain a political fund.

10. None of the Office Bearers of the Union should be a dismissed/removed/ discharged person from Government service on disciplinary grounds.